

PATENT  
ARCD:194



**D E C L A R A T I O N**

As a below named inventor, I hereby declare that:  
My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHODS AND COMPOSITIONS FOR VIRAL ENHANCEMENT OF CELL KILLING**, the Specification of which:

X is attached hereto.  
X was filed on October 6, 1995 as Application Serial No. 08/540,343.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

|                                 |               |          |
|---------------------------------|---------------|----------|
| N/A<br>(Application Serial No.) | (Filing Date) | (Status) |
|---------------------------------|---------------|----------|

I hereby direct that all correspondence and telephone calls be addressed to Gary J. Sertich, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210 (512) 418-3000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Dennis E. Hallahan  
(First) (Initial) (Last)

Inventor's Signature: Dennis E. Hallahan

Date: 1/26/96 Country of Citizenship: IL

Resident Address: 231 N. Elmore, Park Ridge, IL 60068  
(Include number, street name, city, state, and country)

Post Office Address: \_\_\_\_\_  
(if different from residence address) \_\_\_\_\_

*D*  
Inventor's Full Name: Ralph R. Weichselbaum  
(First) (Initial) (Last)

Inventor's Signature: Ralph

Date: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_

Resident Address: 2031 N. Sedgwick Chicago, IL 60614 IL  
(Include number, street name, city, state, and country)

Post Office Address: Ralphie 1126196  
(if different from residence address)

Inventor's Full Name: Donald Kufe  
(First) (Initial) (Last)

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_

Resident Address: \_\_\_\_\_  
(Include number, street name, city, state, and country)

Post Office Address: \_\_\_\_\_  
(if different from residence address)

*(You)*  
Inventor's Full Name: Gregory S. Sibley  
(First) (Initial) (Last)

Inventor's Signature: Gregory Sibley  
Date: 2/8/96 Country of Citizenship: US

Resident Address: 102 Weymouth Pl Chapel Hill NC NC  
(Include number, street name, city, state, and country)

Post Office Address: \_\_\_\_\_  
(if different from residence address)

*560*  
Inventor's Full Name: Bernard Roizman  
(First) (Initial) (Last)

Inventor's Signature: Bernard Roizman  
Date: Feb 5 1957 Country of Citizenship: USA

Resident Address: 5555 So Everett Ave Chicago IL 60637  
(Include number, street name, city, state, and country)

Post Office Address: \_\_\_\_\_  
(if different from residence address)

Inventor's Full Name: Ralph R. Weichselbaum  
(First) (Initial) (Last)

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_

Resident Address: \_\_\_\_\_  
(Include number, street name, city, state, and country)

Post Office Address: \_\_\_\_\_  
(if different from  
residence address) \_\_\_\_\_

3.00  
-00 Inventor's Full Name: Donald Kufe  
(First) (Initial) (Last) \_\_\_\_\_

Inventor's Signature: D. W. Kufe

Date: 12/8/95 Country of Citizenship: USA

Resident Address: 179 Grove Street, Wellesley, MA 02181 USA  
(Include number, street name, city, state, and country)

Post Office Address: \_\_\_\_\_  
(if different from  
residence address) \_\_\_\_\_

Inventor's Full Name: Gregory S. Sibley  
(First) (Initial) (Last)

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_

Resident Address: \_\_\_\_\_  
(Include number, street name, city, state, and country)

Post Office Address: \_\_\_\_\_  
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Inventor's Full Name: Bernard Roizman  
(First) (Initial) (Last)

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_

Resident Address: \_\_\_\_\_  
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Post Office Address: \_\_\_\_\_  
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PATENT  
FILE NO. ARCD:194

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Dennis E. Hallahan, Ralph                         \$  
R. Weichselbaum, Donald                             \$  
Kufe, Gregory S. Sibley                             \$  
and Bernard Roizman                                     \$  
  
Serial No.: 08/540,343                                 \$      Examiner: Unknown  
Filed: October 6, 1995                                 \$      Group Art Unit: Unknown  
For: METHODS AND COMPOSITIONS                         \$      Atty. Dkt: ARCD:194/SER  
FOR VIRAL ENHANCEMENT                                 \$  
OF CELL KILLING                                         \$

DECLARATION CLAIMING SMALL ENTITY STATUS  
37 C.F.R. §§ 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: ARCH DEVELOPMENT CORPORATION

Address of Organization: 1101 East 58th Street  
Chicago, Illinois 60637

The type of organization is a university.

I hereby declare that the organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) (1), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the above-referenced application.

I hereby declare that exclusive rights to the invention have been conveyed to and remain with the organization, with respect to the above-referenced invention, nor have I assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e), with the exception that the Government may have rights in the invention pursuant to a funding agreement under 35 U.S.C. § 202(c)(4): None

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

ARCH DEVELOPMENT CORPORATION

By: Thomas L. Churchwell  
Name: Thomas L. Churchwell  
Title: President

Date: Feb 15, 1996



PATENT  
FILE NO. ARCD:194

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Dennis E. Hallahan, Ralph                         \$  
R. Weichselbaum, Donald                             \$  
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OF CELL KILLING                                         \$

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37 C.F.R. §§ 1.9(f) and 1.27(d) - NONPROFIT ORGANIZATION**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

Name of Organization: DANA-FARBER CANCER INSTITUTE

Address of Organization: 44 Binney Street  
Boston, Massachusetts 02115

The type of organization is a university.

I hereby declare that the organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) (1), and thus is a "small entity" as defined in § 1.9(f), for purposes of paying reduced fees under Sections 41(a) and (b) of Title 35, United States Code, with regard to the above-referenced application.

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DANA-FARBER CANCER INSTITUTE

By:

Name: Julia D. Hart  
Title: Patent Counsel

Date: March 26, 1996

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PATENT  
ARCD:194



### DECLARATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHODS AND COMPOSITIONS FOR VIRAL ENHANCEMENT OF CELL KILLING**, the Specification of which:

       is attached hereto.  
X was filed on October 6, 1995 as Application Serial No. 08/540,343.

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| N/A<br>(Application Serial No.) | (Filing Date) | (Status) |
|---------------------------------|---------------|----------|
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I hereby direct that all correspondence and telephone calls be addressed to Gary J. Sertich, Arnold, White & Durkee, P.O. Box 4433, Houston, Texas 77210 (512) 418-3000.

I hereby declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Full Name: Dennis E. Hallahan  
(First) (Initial) (Last)

Inventor's Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Country of Citizenship: \_\_\_\_\_

Resident Address: \_\_\_\_\_  
(Include number, street name, city, state, and country)

Post Office Address: \_\_\_\_\_  
(if different from residence address) \_\_\_\_\_



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Dennis E. Hallahan, Ralph S  
R. Weichselbaum, Donald S  
Kufe, Gregory S. Sibley S  
and Bernard Roizman S  
  
Serial No.: 08/540,343 S Examiner: Unknown  
Filed: October 6, 1995 S Group Art Unit: Unknown  
For: METHODS AND COMPOSITIONS S Atty. Dkt: ARCD:194/SER  
FOR VIRAL ENHANCEMENT S  
OF CELL KILLING S

ELECTION UNDER 37 C.F.R. § 3.71  
AND 3.73 AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints J. Paul Williamson, Reg. No. 29,600; David L. Parker, Reg. No. 32,165; Barbara S. Kitchell, Reg. No. 33,928; Mark B. Wilson, Reg. No. 37,259; Gary J. Sertich, Reg. No. 34,430; Steven L. Highlander, Reg. No. 37,642; Timothy S. Corder, Reg. No. 38,414; Adam V. Floyd, Reg. No. 39,192; and Shelley P.M. Fussey, Reg. No. 39,458; each an attorney or agent of the firm of ARNOLD, WHITE & DURKEE, as its attorney or agent for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Arch Development Corporation, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Gary J. Sertich  
ARNOLD, WHITE & DURKEE  
P.O. Box 4433  
Houston, Texas 77210-4433  
(512) 418-3000

ASSIGNEE:  
ARCH DEVELOPMENT CORPORATION

By: *Churchwell*  
Name: Thomas L. Churchwell  
Title: President

Date: Feb 15, 1996

ASSIGNMENT: Concurrently filed



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Dennis E. Hallahan, Ralph S  
R. Weichselbaum, Donald S  
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ELECTION UNDER 37 C.F.R. §§ 3.71  
AND 3.73 AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

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Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to Dana-Farber Cancer Institute, referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all communications as follows:

Gary J. Sertich  
ARNOLD, WHITE & DURKEE  
P.O. Box 4433  
Houston, Texas 77210-4433  
(512) 418-3000

ASSIGNEE:  
DANA-FARBER CANCER INSTITUTE

By:   
Name: Julia D. Hart  
Title: Patent Counsel

Date: Dec. 19 1995

ASSIGNMENT: Concurrently filed